

Notice of Allowability

Application No.

10/725,978

Examiner

Michelle R. Connelly-Cushwa

Applicant(s)

MORELLEC ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Amendment filed May 11, 2005.
2. ☒ The allowed claim(s) is/are 21-53.
3. ☒ The drawings filed on 01 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with B. Noel Kivlin on June 6, 2005.

The application has been amended as follows:

Claim 21, line 8, "a mechanism" has been replaced with --an automated mechanism--.

Response to Applicant's Amendment

Applicant's Amendment filed May 11, 2005 has been fully considered and entered.

Allowable Subject Matter

Claims 21-53 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art cited on form PTO-892, which is attached to the Office action mailed November 8, 2004, is the most relevant prior art known, however, the invention of claims 21-53 distinguishes over the prior art of record for the following reasons.

Regarding claims 21-30; the claims are allowable over the prior art of record because none of the references either alone or in combination disclose or render

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obvious a distributor as defined in claim 21, comprising an automated mechanism to disconnect a first end of the jumper cable from a first connector of the first set of connectors and to reconnect the first end to a second connector of the first set of connectors in combination with the other limitations of claim 21. Claims 22-30 depend from claim 21.

Regarding claims 31-37; the claims are allowable over the prior art of record because none of the references either alone or in combination disclose or render obvious a distribution frame as defined in claim 31, wherein the jumper fibers not in use are connected in parallel to each other between one of the second connection module supports on the first panel and one of the second connection module supports on the second panel, and wherein each jumper fiber is positioned directly above the preceding one as and when it is stowed in combination with the other limitations of claim 31. Claims 32-37 depend from claim 31.

Regarding claims 38-44; the claims are allowable over the prior art of record because none of the references either alone or in combination disclose or render obvious a method as defined in claim 38, comprising using the device to disconnect a first end of a jumper fiber connected to a second support on a first cross-connection panel in the storage area, using the device to move the first end of the jumper fiber toward a first support on the first cross-connection panel, using the device to connect the first end of the jumper fiber to a port of a module on the first support, using the device to disconnect a second end of the jumper fiber connected to a second support on a second cross-connection panel in the storage area, using the device to move the

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second end of the jumper fiber toward the first support on the second cross-connection panel, and using the device to connect the second end of the jumper fiber to a port of a module on the first support on the second cross-connection panel in combination with the other limitations of claim 38. Claims 39-44 depend from claim 38.

Regarding claims 45-53; ; the claims are allowable over the prior art of record because none of the references either alone or in combination disclose or render obvious a method as defined in claim 45, comprising extracting the jumper fiber from the mass of jumper fibers in use with an extractor device and using the device to connect the jumper fiber in a storage area in combination with the other limitations of claim 45. Claims 46-53 depend from claim 45.

Hence, there is no reason or motivation for one of ordinary skill in the art to use the prior art of record to make the invention of claims 21-53.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning the merits of this communication should be directed to Examiner Michelle R. Connelly-Cushwa at telephone number (571) 272-2345. The examiner can normally be reached 9:00 AM to 7:00 PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B. Bovernick can be reached on (571) 272-2344. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general or clerical nature should be directed to the Technology Center 2800 receptionist at telephone number (571) 272-1562.

Michelle R. Connelly-Cushwa
Michelle R. Connelly-Cushwa
Patent Examiner
June 10, 2005